

From: John Steiner
To: Microsoft ATR
Date: 1/27/02 9:48am
Subject: Microsoft Settlement

Dear Department of Justice:

We are in complete agreement with the following from Computers for Computing Choice regarding the Microsoft case:

Sincerely,
John Steiner and Margo King
Boulder, Colorado

Microsoft has twice been found guilty of serious violations of the Sherman Antitrust Act, by a federal District Court and by the United States Court of Appeals. While the Court of Appeals reversed the breakup order issued by the District Court, it upheld the trial court's Findings of Fact and affirmed that Microsoft is guilty of unlawfully maintaining its monopoly.

The Court of Appeals ordered the District Court to hold proceedings to fashion remedies that restore competition and deprive Microsoft of the fruits of its illegal conduct.

The Department of Justice is attempting to prevent these proceeding by entering into a settlement with Microsoft that preserves its monopoly power, does virtually nothing to restore competition, and leaves Microsoft with all of the ill-gotten gains from illegally maintaining its monopoly.

The settlement will still allow Microsoft to extend its triple monopoly in operating systems, office applications, and Internet applications. This triple monopoly leaves Microsoft in a position to capture control of the Internet in the same way it gained control of the desktop.

Microsoft is already planning a future in which you will rent its software as a set of services over the Internet. Microsoft will then monitor your computing activities and charge you for them. Essential services will be dependent on databases that store much of your private information at Microsoft data centers and run your transactions through them. The only way to stop this is to restore competition in operating systems, office applications, and Internet applications now.

Consumers for Computing Choice believes that any settlement or Final Judgment must include remedies that provide:

- (1) A simple, affordable, and reliable way to run the 70,000 existing Windows applications without modification on all other operating systems.
- (2) A simple, affordable, and reliable way to have native versions of Microsoft Office applications on all other operating systems.
- (3) A simple, affordable, and reliable way to replace one or more of the four Office applications with competing applications, while retaining the ability to exchange files, data, and services with any Microsoft application.
- (4) A simple, affordable, and reliable way to have native versions of Explorer, Media Player and other Microsoft Internet applications on all other operating systems.
- (5) A simple, affordable, and reliable way to replace one or more Microsoft Internet applications with competing applications, while retaining the ability to exchange files, data, and services with any Microsoft application.
- (6) A simple, affordable, and reliable way to replace any component or feature in any Microsoft software product with superior or special purpose components or features.
- (7) A simple, affordable, and reliable way to run any Microsoft software on computers that do not have Intel-compatible microprocessors.
- (8) A simple, affordable, and reliable way for software developers to access all the information they need to create products that offer consumers these choices.
- (9) A way to ensure that original equipment manufacturers provide consumers with equal access to computers with alternative operating systems, productivity applications, and Internet applications.
- (10) A "crown jewel" provision establishing such serious consequences for non-compliance that Microsoft will not attempt to evade the necessary disclosure requirements and other mandates.